

Chapter 16.48**OVERLOOK PARKWAY CROSSING OF THE ALESSANDRO ARROYO
DEVELOPMENT FEE****Sections:**

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Section 16.48.010 Purpose.

The purpose of this chapter is to provide for the payment of a development fee to be utilized for the development and construction of a bridge crossing the Alessandro Arroyo at Overlook Parkway. (Ord. 5903 § 1, 1991)

Section 16.48.020 Definitions.

As used in this chapter the following terms shall have the following meanings:

"Building permit" for new development means a building permit issued pursuant to Chapter 16.08 of the Riverside Municipal Code for a structure or a portion of a structure which is not a replacement for a structure or a portion of a structure which existed on the same site on January 1, 1991.

"Alessandro Heights area" shall mean that area of the City of Riverside generally located adjacent to the Alessandro Arroyo and as described by resolution of the City Council. (Ord. 6393 § 48, 1997; Ord. 5903 § 1, 1991)

Section 16.48.030 Establishment of fee.

A development fee for the construction of a bridge crossing the Alessandro Arroyo at Overlook Parkway is hereby established for and assessed against all new development in the Alessandro Heights area in the amount established by the City Council by resolution. (Ord. 5903 § 1, 1991)

Section 16.48.040 Payment of fee.

The required development fee for the bridge crossing the Alessandro Arroyo at Overlook Parkway shall be paid prior to the issuance of a building permit for new development permit. No building permit for new development in the Alessandro Heights area shall be issued until such fee has been paid. (Ord. 5903 § 1, 1991)

Section 16.48.050 Use of fee.

When the development fee for the bridge crossing the Alessandro Arroyo at Overlook Parkway has been collected, it shall be deposited in a separate capital facilities account or fund in a manner to avoid any commingling of the fees with other revenues and funds of the City, except to temporary investments. The fees may be expended solely for the purpose for which

the fee was collected. An interest income earned by moneys in the capital facilities account or fund shall also be deposited in that account or fund and shall be expended only for the purpose for which the fee was originally collected. (Ord. 5903 § 1, 1991)

Section 16.48.060 Exemptions.

The following types of development shall not be required to pay the development fee for the bridge crossing the Alessandro Arroyo at Overlook Parkway:

A. Non-residential development which replaces on the same lot previously existing residential or non-residential development, not to exceed the size of the replaced development, within one year from the date of destruction or relocation of the previously existing development.

B. Residential development which replaces on the same lot previously existing non-residential development, not to exceed the size of the replaced development, within one year from the date of destruction or relocation of the previously existing development.

C. Residential development which replaces on the same lot previously existing residential development, unit for unit, within one year from the date of destruction or relocation of the previously existing residential development.

D. Rehabilitation or remodeling of existing non-residential development which does not add new square footage.

E. Rehabilitation or remodeling of or additions to existing residential development which does not add new dwelling units.

F. Development by local, State or federal governments for governmental use. (Ord. 5903 § 1, 1991)

Section 16.48.070 Appeals.

Any person aggrieved by the application of fee pursuant to this chapter shall have the right to appeal to the Planning Commission. The appeal shall be taken not later than thirty days from the date the person is informed of the fee. Failure to appeal within the thirty-day period shall be deemed a waiver of all rights of appeal under this chapter. The decision of the Planning Commission shall be transmitted to the City Council for ratification, modification or denial. (Ord. 6462 § 18, 1999; Ord. 5903 § 1, 1991)

Section 16.48.080 Annual report.

Within sixty days of the close of each fiscal year, the Public Works Director and the Finance Director shall make a report to the City Council which shall include the beginning and ending balance for the fiscal year, the fee, interest and other income, the amount of expenditure and the amount of any refunds made during the fiscal year. This report shall be made available to the public and shall be reviewed by the City Council at its next regularly scheduled public meeting not less than fifteen days after the report is released. (Ord. 5903 § 1, 1991)